Agenda Item No. <u>4./</u>
For Agenda of <u>Man. 27,200</u>7



Tigard City Council Meeting Minutes

Date:

February 20, 2007

Time:

6:33 p.m.

Place:

Tigard City Hall, 13125 SW Hall Boulevard

Tigard, Oregon

Attending:

Mayor Craig Dirksen Presiding Councilor Gretchen Buehner Councilor Sally Harding Councilor Sydney Sherwood Councilor Tom Woodruff

Absent: ---

Agenda Item	Discussion & Comments	Action Items (follow up)
Workshop Meeting	1.1 Mayor Dirksen called the City Council to Order at 6:33 p.m.	
	1.2 Council Present: Mayor Dirksen, Councilors Buehner, Harding, Sherwood, and Woodruff.	
	1.3 Pledge of Allegiance	
	1.4 Council Communications & Liaison Reports: None	
	1.5 Call to Council and Staff for Non-Agenda Items: None	
2. Joint Meeting with the Budget Committee	Library Performance Audit Consultant Jeanne Goodrich introduced some key findings of the Library Performance Audit. A copy of the Audit Report was distributed to the City Council and a copy is on file in the City Recorder's office. Summary of discussion points follow:	
	◆ Tigard residents are getting a return on their tax dollars invested. For every dollar spent, \$4 in services are returned. Ms. Goodrich added that the added quality-of-life benefits are non-quantifiable.	

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	Customer satisfaction rate is unusually high	*
	but added that the library customer survey is	
	not a scientific survey.	
	Staffing levels, when compared to services	
	offered, are appropriate.	
	• A few tweaks to increase efficiencies were	
	identified and included:	
	Less personalized service by promoting	:
	self-checkout.	
	o Recognize that service delivery in some	
	areas where volunteers are utilized can be	
	viewed as less efficient; however, there are	
	tradeoffs that cannot be quantified.	
	 Comparatively, the Tigard Library does 	·
	better than average in many areas and is at	
	average in most other areas.	
	• The report recommended areas of efficiencies,	
	several of which are already being put into	
	place.	
	In response to a question from Councilor	
	Woodruff, Ms. Goodrich said she did not	
	identify areas where additional efficiency	
	would lead to cost savings; rather, as	
	efficiencies are implemented, staff resources	
	could be reallocated elsewhere. One example	
	she gave was for staff to approach patrons to	
	ask them if they needed assistance. Mayor	
	Dirksen also commented that one of the	
	outcomes of the audit was the hope that cost	
	savings could be identified but it appeared that	
	this was not feasible.	
	 Budget Committee Member Snider asked Ms. 	
	Goodrich if she saw any way the Library could	
	generate revenue. Ms. Goodrich said libraries	
	are typically funded with General Fund dollars	
	with only a small amount of funds generated	
	by fines and fundraising. Because libraries are	
	service oriented, the amount of open hours	
	equates to the number of employees needed.	
	Councilor Buehner indicated her difficulty in	
	understanding why staff members would go	
	out and offer services to patrons once self-	
	service is utilized more. Ms. Goodrich	
	explained that staff members would not offer	
	services in an intrusive manner, but would	
	have more opportunity to identify when a	

Agenda Item	Discussion & Comments	Action Items (follow up)
	customer might be having difficulty and offer	
	to be of assistance.	
	• In response to a question from Councilor	
	Harding, Ms. Goodrich said people expect	
	computers to be available at the library. There	
	are no national standards set for library	
	services so she has looked at productivity	
	numbers. The mix of services offered by	
	libraries is changing.	
	• In response to a question from Councilor	
	Woodruff, Ms. Goodrich said she had no	
	suggestions about how to prioritize reductions.	
	In response to a comment from Budget	
	Committee Member Struck, Ms. Goodrich	
	said the Library is already gearing up to provide additional staff training as suggested in	
	the report.	
	and report.	
	Police Department Performance Audit	
	Consultant Steve Winegar introduced some key	
	findings of the Police Department Performance	
	Audit. An outline of the audit highlights was	
	distributed to the City Council and a copy is on file	
	in the City Recorder's office. Summary of	
	discussion points follow:	
	Three areas of focus: 1) Mutual Aid	
	Responses; 2) Property Evidence Function; 3)	
	Employee Retention.	
	Tigard is below the national average for	
	turnover of employees. To retain employees	
	there are quantitative and qualitative aspects:	
	 Quantitative: Competitive 	
	salaries/benefits; offer a variety of work	
	opportunities; consider innovative	
	incentives such as bonuses, sick/vacation	
	leave policies, sabbaticals. Succession	
	planning; that is, help employees to earn	
	promotions or give opportunities to enter	
	into a different assignment.Qualitative: Important if pay and benefits	
	are competitive. Because of 24/7 nature	
	of police work, it is important to establish	
	a work and life balance. Employees also	
	add their own perspective to the	
	organizational climate; however, successful	

Agenda Item	Discussion & Comments	Action Items (follow up)
Agenda Item	 Agencies look for positive ways to manage. City of Tigard could gain efficiencies in its Police property evidence operation: evidence is located at multiple facilities where storage space is nearly at capacity; a lot of record keeping is done manually for which systems are available. A review of policies and procedures would reduce the volume of work. It is important that employees do not fall behind and receive training on new laws and rules. There is a significant data challenge present in the area relating to mutual aid. Data is not of good quality. Better definition is needed to determine what is classified as a mutual aid response. Mayor Dirksen commented that he questioned whether a response by the County Sheriff within the City of Tigard should be classified as mutual aid. Councilor Buehner noted several county officers live in the City and questioned how dispatching occurs and how it is documented. The Washington County Consolidated Communications Agency (WCCCA) has been asked to clean up mutual aid data so it is not miscoded. Discussion followed on how this data could be 	Action Items (follow up)
	categorized. * Budget Committee Chair Haldeman said he would be interested in learning what "we are doing right" noting that retention appears not to be a big issue. He added that he would like to have some recommendations contained in the audit report about how property evidence could gain efficiencies.	
	 Summary of Audit Report ◆ Tom Glogau, CPA from the City's audit firm, Grove, Mueller and Swank presented information on the audited financial statement for the fiscal year ended June 30, 2006. ◆ Finance Director Sesnon reported City of Tigard Finance Department received two awards: The Government Finance Officers Association Certificate of Achievement for 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	the 21st consecutive year the City of Tigard	
	has received this award.	
	2. The Government Finance Officers	
	Association Distinguished Budget	
	Presentation Award. This is the 19 th	
	consecutive year the City of Tigard has	
	received this award.	
	The auditors look at the reporting numbers to	
	determine if they are accurate. The numbers	
	needed no adjustments. This speaks well of	
	the City's Finance Department.	
	The auditors also review how the City	
	transacts business. In this case, Mr. Glogau	
	said "no news is good news." The audit report	
	contains no comments on anything done	
	incorrectly because the auditors did not find	
	anything.	
	• The annual audit reports on the circumstances	
	of the previous year. At some point water	
	issues will need to be addressed and this will	
	represent a large cost. The City Council	
	should be setting aside funding for future	
	water needs. Approximately \$1 million has	
	been set aside. Some ratepayers might not like	
	the idea of setting a portion of the money	
	collected aside, but Mr. Glogau said it would be short-sighted not to.	
	 Mr. Glogau said the City is doing a credible 	
	job in the area of Finance.	
	In response to a question from Mayor • In response to a question from Mayor	
	Dirksen, Mr. Glogau advised that it is not	
	uncommon to find recommendations for	
	adjustments within an audit report.	
	The auditors review internal controls, checks	
	and balances. There were a number of small	
	things (35) discussed and two or three	
	suggestions for change.	
	• At the suggestion of Councilor Buehner,	
	Mayor Dirksen agreed the audit report results	
	be reviewed during a televised City Council	
	meeting so citizens have a chance to hear how	
	well the City has done.	
	Councilor Harding asked about the areas	
	where the auditors had made suggestions. Mr.	
	Glogau explained that the audit report does	
	not address performance efficiencies. The	Annual Control of the

Agenda Item	Discussion & Comments	Action Items (follow up)
	suggestions were made to help with work	
	process and included such things as	
	modification to a spreadsheet format. Finance	
	Director Sesnon advised the Audit Report is	
	posted on the City's website.	
	Mayor Dirksen said that the question as to	
	whether dollars are being spent on the right	
	things is not a technical answer; rather, it is a	
	"heart" answer.	
	Budget Committee Member Snider referred to	
	recent news articles about problems	
	discovered in a neighboring City and said he	
·	was glad to hear the auditors looked for and	
	found no such problems at Tigard.	
	Mayor Dirksen noted that the Library	
	performance audit disclosed that the ratio of	
	cost/value is in line with the services provided.	
	Councilor Harding commented she would like	
	to have analysis of mutual aid costs in the	
	Police Department.	
	General Fund Ending Fund Balance Analysis for	
	the Fiscal Year Ending June 30, 2006	
	Finance Director Sesnon distributed a summary of	
	the ending fund balance for the General Fund. A	
	copy is on file in the City Recorder's office. Mr.	
	Sesnon reviewed the reasons for the projected	
	General Fund ending balance of \$8.8 million.	
	These reasons are listed in the information	
	distributed to the Council.	
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	Draft City of Tigard Community Investment Plan	
	for FY 2007-2012	
	Council received a copy of the draft Plan. A copy	
	is on file in the City Recorder's office. Community	
	Development Director Coffee reviewed the key	
	points of the CIP noting the draft still needs	
	proofreading. Next steps include a public process	
	and hearings before the Planning Commission and	
	Budget Committee. A cover memo from	
	Community Development Director Coffee dated	
	February 20, 2007, is on file in the City Recorder's	
	office and explains the new format, benefits, issues	
	relating to identified projects and the review	
	process.	

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	Councilor Buehner noted information is needed to track how the City is handling priorities identified in previous years. For example, she said she is not sure whether the Planning Commission is aware of how the priorities have shifted from year to year and that some projects have been dropped off the high priority list. Community Development Director Coffee suggested that an appendix be added to the plan showing funding priorities for previous years.	
	City Manager Prosser advised that this year's Plan is not simply a change in format but does a better job of showing a five-year view of the City's capital needs. A lot of work has gone into this document, which will provide a base to work from in the years following.	
	Final Discussion Points In response to an observation by Councilor Harding, Finance Director Sesnon referred to the Strategic Technology Plan, which identifies ways to increase efficiencies. For example, a lot of police officers' time is spent on report writing and this function could be automated to capture data instead of writing manually.	
3. Joint Meeting with the Planning Commission and Comprehensive Plan Update	Planning Commission Members Present: Rex Caffall, Jeremy Vermilyea, and David Walsh. Community Development Department staff present: Community Development Director Coffee, Long Range Planning Manager Bunch, Senior Planner St. Amand.	
	Staff noted vacancies on the Planning Commission and that applications for new members are being solicited.	
	Long Range Planning Manager Bunch reviewed the 2006 accomplishments of the Planning Commission, which are listed in the staff report on file in the City Recorder's office and includes information on the status of the Planning Commission's work on the Comprehensive Plan;	

Agenda Item	Discussion & Comments	Action Items (follow up)
	identification of Code Amendments to implement the Downtown Plan (working with the City Center Advisory Commission), Code Amendments (Planned Developments, Goal 5 amendments, Tree Code); the Community Investment Program; and development project hearings. Other work areas include review of the Transportation Plan and the Tigard Town Center.	(Ionow up)
	Long Range Planning Manager Bunch also reviewed the Commission's consensus on what its 2007 goals would be:	
	 Complete Comprehensive Plan Update Address Transportation Issues Complete Land Use Program for the Tigard Town Center 	
	A lot of work is coming up for the Comprehensive Plan. Senior Planner St. Amand reviewed the work completed to date on this project. Included in the Council packet was the <i>Tigard 2007 Comprehensive Plan Resource Report</i> , which establishes the factual base to be used to develop updated goals, policies, and action measures over the next year. The <i>2006 Issues and Values Summary</i> also	
	presents key issues and values identified by the Vision Task Force and recent surveys. Senior Planner St. Amand reviewed the current state of development in Tigard, which has been in keeping with the guidelines of the current Comprehensive Plan. Some observations included:	
	 Transportation plus growth = a changing landscape in Tigard. Might see an increase in infill development. Remaining development is for low or medium density. Mixed-use development has not occurred often. 	
	 Affordable workforce housing might become a future issue. Growth could impact water quality. Some natural resource provisions have been implemented; decide if more revisions are needed. 	

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Agenda Item	 Transportation challenges include issues with State highways. An inventory of existing conditions was needed as one of the beginning steps to the Plan review. Creativity needed for funding and programming. The Work Program for this project is set out in the 6 phases. (For detailed information on the phases, please see information on file in the City Recorder's office.) The estimated completion date of the Plan is the end of 2007. The final phase, which is Plan Adoption, will include public open houses, Planning Commission hearings and City Council 	Action Items (follow up)
	Planning Commissioner Walsh commended Senior Planner St. Amand and Planning staff for their work on the Plan. He noted the need for City Council support as the Plan is offered to the public. Commissioner Walsh commented on the goals of the Planning Commission for the coming year and the issue regarding the turnover of the Planning Commission members. Discussion followed on the number of committee meetings that Commission members are asked to attend as liaisons. City Council members acknowledged the heavy workload of the Planning Commission and expressed appreciation for their dedication. Mayor Dirksen also noted he will continue to advise Planning Commission applicants about the time commitment if selected to serve on the Planning Commission.	
	Planning Commissioner Walsh said the Planning Commission members would like more formal training in their areas of responsibility. Mayor Dirksen noted that this concern has already been duly noted by the City Council. Commissioner Walsh advised the Planning Commission anticipates infill issues and requests to develop smaller lots and lots that are on land that is more difficult to develop. Design standards might be something the City will want to address and the public input process for the Comprehensive Plan	

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	will give City officials more of an idea if this is	
	what the public wants.	
	Commissioner Vermilyea noted the tremendous learning curve as a newer member of the Planning Commission. He referred to issues and how they interrelate; i.e., design standards, Goal 5, and density transfer. He also noted the need to be mindful of unintended consequences as the	
	Comprehensive Plan is reviewed and to look at issues in a bigger way, which might affect quality of life.	
	Commissioner Caffall commented on the overwhelming number of items coming up for the Planning Commission: 99W project, growth, parks, natural resources conservation and infill developments.	
	Commissioner Walsh said some thought needs to be given to economic development, the role of the Planning Commission, and the need to protect what Tigard has. Mayor Dirksen noted that City Council increased Planning Staff and as some of the temporary projects for the Downtown and the Comprehensive Plan review are completed, there will be staff resources available to devote time to economic development. Mayor Dirksen added that he hoped the City Center Advisory Commission would be active in economic development efforts.	
	In response to a question from Commissioner Walsh about what the Planning Commission could be doing to assist the City Council, Councilor Sherwood advised that the Commissioners' work on the Comprehensive Plan will be critical and the City Council will be looking forward to receiving the Planning Commission's recommendations. Mayor Dirksen and Councilor Buehner noted their appreciation for the great job done by the Planning Commission.	
	In response to a question from Councilor Buehner regarding how annexations would affect the data collected to date for the Comprehensive Plan,	

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	Senior Planner St. Amand advised that the natural resources data would not need updating, but the built-environment data would need to be adjusted.	
4. Joint Meeting with the Committee for Citizen Involvement	CCI Members Present: Rex Caffall, Basil Christopher, Bev Froude Associate Planner Roberts presented the staff report and outlined the history on how the Committee for Citizen Involvement was formed. Chair Christopher spoke of the commitment of the CCI members and their desire to get the word out to citizens about activities and opportunities within the city. The CCI has experienced some turnover in membership. He said the new neighborhood program would be a good way to get in touch with the community and was anxious to get this implemented. Other topics covered by Chair Christopher and discussed during the meeting included:	
	 Citizens are interested in their community, but in Tigard, it sometimes takes work to find out information. He offered the idea of the CCI hosting an open house possibly on a Saturday morning in the Library lobby. City Council members were supportive of this idea and suggested other opportunities for contact with the public including a table at the Balloon Festival City tent (although it was noted many people who attend the Festival do not live in Tigard); a CCI event during Family Week in September; placing a display in the Library lobby rotating a theme from time to time featuring an aspect of the community; establish contacts with Tigard churches and schools; place information at the Tigard Senior Center; establish a contact with the Summerfield Civic Association; utilize table tents on Library public desks/computer stations featuring City information; and have the computers in the Library default to an information page about the City. Councilor Buehner noted that often citizens 	

Agenda Item	Discussion & Comments	Action Items (follow up)
	Commission. He said he has enjoyed the short time he has been on the CCI. Mayor Dirksen added that he looked forward to the implementation of the Neighborhood Program and said he hoped this will prove to be a way to get two-way communication going. Councilor Buehner suggested staff check with the City of Beaverton as they recently hired a full-time community outreach person. Councilor Harding said she thought the City of Tigard's website home page could be more citizen friendly. Chair Christopher suggested that the committee meet more frequently with the City Council. Mayor Dirksen said more meetings with City Council might be possible and also suggested regular summary updates be sent to the City Council. Councilor Buehner said Beaverton does not participate in the County's CPO program. She said that the CPO in Tigard crosses lines and includes areas inside and outside of the City of Tigard. She asked if others thought there was a need to change this. Committee member Froude said that a representative from Beaverton attends CPO meetings. Councilor Buehner said there are tensions between residents in/out of the city within the CPO that need to be addressed.	
5. Planning Commission and Tree Board Recommendations	Tree Board Members Present: Rob Callan and Dennis Sizemore. Planning Commission members present: Rex Caffall, Jeremy Vermilyea, and David Walsh. Long Range Planning Manager Bunch presented the staff report. After the presentation and discussion the City Council members indicated support for the following: Table the Tree Board's recommendations to amend Tigard Community Development Code (TCDC) Chapters 18.745, Landscaping and Screening and 18.790, Tree Removal;	

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	 Temporarily change the Tree Board's charge statement to authorize it to do this work since the Board's current charge statement limits its activities to tree and urban forest issues on public lands; Commit ongoing and knowledgeable staff support to the effort; City staff and the Tree Board will develop a scope of work; Scope of work and schedule should provide opportunities for ongoing communications with the Planning Commission and the Council and opportunities for input from citizens and other stakeholders, Review Tree Code to determine if stop-gap measures could be adopted to be in effect until new standards are adopted to prevent needless 	(Zodow up)
	Tree Board member Callan expressed the earlier frustrations experienced by the Tree Board when they had completed their work for recommended amendments to TCDC Chapter 18.745 and 18.790. He said that Long Range Planning Manager Bunch has given the Board more information so they have accepted that changes could be introduced as part of the Comprehensive Plan update process. There is concern, however, about the loss of trees that could occur within the next 12 months, while the Comprehensive Plan review is taking place. This is why the Board is recommending interim measures be considered to protect trees.	
	During discussion, Council members expressed support for all of the recommendations including the change of scope in the charge to the Tree Board. With regard to regulating trees on private property, Mayor Dirksen and Councilor Woodruff noted the regulations would have to strike a balance with the rights of property owners and any community aesthetic values identified.	
	Tree Board Member Callan said there would be opportunity for the public to weigh in. He said an answer is needed to the basic question: What do trees really mean to Tigard residents and	

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	stakeholders?	
	Community Development Director Coffee and	
	Planning Manager Bewersdorff are reviewing	
	applications for the City Arborist position.	
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6. Code	Community Development Department staff	
Enforcement and	present: Community Development Director	
Compliance	Coffee, Planning Manager Bewersdorff, Code	
Discussion	Enforcement Officer Darnell.	
	Recent citizen comment and enforcement activities	
	related to accessory structures in the front setback	
	area of residential properties have led the City	
	Council to request information on the issue. Staff	
	provided information for the Council, which was	
	summarized in a PowerPoint presentation. A copy	
	of this presentation is on file in the City Recorder's office.	
	office.	
	Code Enforcement Officer Darnell's presentation	
	included the following information:	
	What Code Enforcement does.	
	Areas of responsibility of the one full-time	
	officer identified in the Community	
	Development Code and the Tigard Municipal	
	Code.	
	Additional tasks required of the Code	
	Enforcement Officer.	
	Six common misconceptions.	
	• Ensuring that everyone lives by the	
	community rules we have agreed to.	
	Encourage citizens to take control of their	
	surroundings.	
	Help the City's image and property values to	
	rise.	
	Provide education and understanding among	
	citizens.	
	Protect Tigard's assets.	
	Keep Tigard a clean, safe, and desirable place	
	to live, work, play, and visit.	
	• A review of how a complaint regarding a	
	potential code violation is processed.	
	Balance community benefit with enforcement	
	Datatice community belieff with emolecillent	l

Agenda Item	Discussion & Comments	Action Items (follow up)
	actions.	(
	• A review of the issue of accessory structures	
	and of specific words and terms.	
	What other cities do about structures in front	
	yards.	
	 Where accessory structures can be located. 	
	 Reasons why accessory structures should not 	
	be located in the front-yard setbacks.	
	 A review of ideas offered about how code 	
	compliance could be different with regard to	
	accessory structures.	
	Community Development Director Coffee	
	reported that the idea of a revocable easement had	
	been presented to the City Council within the	
	context of right-of-way encroachment. This is a	
	different issue from the accessory structure setback	
	in that rights of way are public property while the	
	setbacks are private property.	
	Councilor Was deeff and all the countril at the	
	Councilor Woodruff noted what contributed to	
	the confusion was the discussion during a recent	
	Fifth Tuesday Council meeting and the mistaken idea that the right-of-way encroachment issues and	
	the setback issues could be addressed similarly. He	
	noted citizens were concerned about the fairness	
	of Code Enforcement when done on a complaint	
	basis. Planning Manager Bewersdorff agreed that	
	with almost every complaint, other complaints are	
	generated because the violator can often point to	
	others who are also doing the same thing. Once a	
	violation is called to the Code Enforcement	
	Officer's attention, there is an obligation for the	
	Officer to follow up. Some proactive measures are	
	taken to educate citizens about Code requirements	
	with presentations and publication of articles in the	
	Cityscape. Another idea suggested was to ask stores	
	such as Home Depot to give accessory structure	
	regulations to people who purchase such	
	structures from them. As part of the public	
	information process, residents could be given a	
	period of time to allow them an opportunity to	
	bring their accessory structures into compliance.	
	At the end of the time period, a code violation	
	notice would be sent out for non-complying	
	structures.	

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	There was no desire on the part of the City Council to allow existing structures to remain.	
	Code Enforcement Officer Darnell asked for City Council support with regard to enforcement of removal of basketball hoops in the rights of way.	
	Councilor Woodruff said these types of issues would be "perfect" as an educational component for the newly formed neighborhood program.	
	Mayor Dirksen and Councilor Sherwood agreed that they were incorrect in their initial assessment of how to approach the accessory structure setback issues.	
	In response to a question from City Manager Prosser, Community Development Director Coffee advised that when an integral part of the house (i.e., a porch) is in the setback, the setback is not enforced. It is likely that the porch existed before the setbacks were established and can remain as a "non-conforming" structure.	
	Councilor Harding supported continued education regarding these types of issues and suggested enlisting the aid of garbage haulers or the meter reader to report obvious code violations observed to avoid targeting one neighborhood and to address the issues citywide.	
	At the end of the presentation Community Development Director Coffee advised that the materials prepared by Code Enforcement Officer Darnell for this Council discussion would be used toward her certification. Ms. Darnell will become the second certified Code Enforcement Officer in the State of Oregon.	·
	Ms. Darnell thanked the City Council for their words of support.	

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Adjournment	The meeting adjourned at 10:23 p.m.	Motion by Councilor Woodruff, seconded by Councilor Harding, to adjourn the meeting. The motion was approved by a unanimous vote of Council present.
		Mayor Dirksen Yes Councilor Buehner Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Woodruff Yes

Atherine Wheatley
Catherine Wheatley, City Recorder

Attest:

Mayor, Zity of Tigard

Date: March 27 2007

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